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HARRIS FAMILY ROW IN COURT

MRS. H. M. HARRIS AND JACK HARRIS V. HARRIS.

Mrs. Harris Wins Alimony on Her Divorce Decree of 1901—He Retorts That Her Income Was Cut Because She Let Her Daughter Marry the Actor

Supreme Court Justice Bischoff yesterday a motion by Mrs. Kathryn Brady Harris for alimony from her husband, Sidney Harris, the lawyer, under a decree of divorce granted in 1901. At the same time he gave her permission to apply again in case she can show a change in her husband's circumstances.

In opposing the motion the defendant submitted letters bearing on intimate family matters written by his mother-in-law, Mrs. Katherine W. Brady, widow of Justice John R. Brady of the Supreme Court, to him and to her granddaughter, Katherine Corne Harris, who is now Mrs. John Barrymore.

The letters and an affidavit by Mr. Harris show that Mrs. Harris's sister, May, who is Mrs. Herbert M. Harriman, had been giving her an allowance of \$250 a month for support since she got her divorce, but that Mrs. Harriman was so angry over her sister's part in the marriage of Miss Harris to the actor that she paid the allowance through their mother for a time and finally withdrew it altogether.

Mrs. Harris is mentioned in the letters of her mother to Mr. Harris. She had been married twice before when she became the wife of Herbert Harriman, brother of Mrs. W. K. Vanderbilt, Sr., and Mrs. Frederick C. Havemeyer. Her first husband was C. Albert Stevens, a member of the Hoboken family, who died in 1895, leaving her a fortune. In 1902 she was married in London to Major Charles Spencer Hall of the Oxfordshire Light Infantry, and left in 1904 to visit in this country. In 1907 she got a divorce from Major Hall in Newport on the ground of abandonment, and a year ago the English courts decided that the American decree was invalid and gave Major Hall a divorce.

In her application to Justice Bischoff for alimony Mrs. Harris said that the divorce decree of 1901 provided that she might apply for alimony at any time in the future. She said she has had no support from Mr. Harris since and had been living on an allowance from her estate, which has since been withdrawn, leaving the dependent without means of support.

Mr. Harris in his affidavit replying said that he married Kathryn Brady in 1888 and lived with her and their daughter until 1893 at Garden City. Because of his wife's interest in amateur theatricals and her friendship with several young men who were interested in such affairs they grew estranged, Mr. Harris says. In the fall of 1895 he was a candidate for the Assembly in Queens. The day before the election his wife had breakfast with him and walked with him to the door and kissed him as he left for his office. When he returned that night his wife had left the house with her daughter.

Mr. Harris said that his wife continued to take an absorbing interest in theatricals and that he promised to make no effort to get possession of his daughter if she would agree not to go on the professional stage. She promised, but in 1901 she joined John Drew's company in 1897 for a road tour and left her daughter at home. Mr. Harris then went and got his daughter. When his wife returned from the road he said she came to his apartments and "created a violent scene." She retained the late A. Oakley Hall as her lawyer, and Mr. Hall urged Mr. Harris to take his wife back, promising that she would comply with his wishes to remain off the stage. For the next two years they lived together in a London place, but Mr. Harris said he offered severe losses in the stock market in 1899 and he had to give up his apartments. His wife wouldn't live in the home he could provide for her and went back to her mother. In 1900 and 1901, Mr. Harris said, he succeeded in rehabilitating himself, although his nervous system was almost wrecked. In 1901 Mrs. Harris's sister, May, then Mrs. Stevens, made her an allowance and she and her daughter got a divorce.

Mr. Harris said he fell and broke his ankle that fall and went to a sanitarium the next year. By 1901 his health had been restored and he started his law practice again. He borrowed \$41,000 up to 1907 from the estate of his father to support himself and educate his daughter and only \$1,115 of this has been paid. He also owes \$7,000 on a judgment obtained in 1902.

Since she got her divorce and up to 1908 Mr. Harris said his wife has been engaged to marry three men, but since that time she has taken the position that she is still his wife, and has repeatedly urged him to live with her. Mr. Harris said that this is impossible, because he no longer has any affection for her and because she and others of her family have for years slandered and abused him and his friends and business associates and made charges against him lacking in truth. His affidavit continues.

The plaintiff has been continuously at home and engaged in a rumpus at one or more times with at least one member of the family, and frequently both the plaintiff and her mother and her sister would be engaged in a three-cornered fight, and on many occasions no attempt was ever made to control the behavior of the plaintiff. The plaintiff is a person of loose morals and of low character, and is a constant source of trouble to all her friends and business associates and makes charges against them lacking in truth. His affidavit continues.

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WISCONSIN'S INCOME TAX

Legislature Sends Bill to the Governor—Its Provisions.

MILWAUKEE, Wis., June 29. The Senate tonight refused to reconsider the vote by which it yesterday concurred in the Assembly substitute amendment to the income tax bill. This puts the income tax question up to the Governor.

Here are the chief provisions of the bill: If an income is over \$500 the recipient must make a return to the assessor. If no income is received the income will be taxed when it passes the \$500 mark.

Married men are taxed on incomes over \$1,200. The tax is graduated, starting at 1 per cent. on incomes of \$1,000 or any part of it and increasing one-fourth of 1 per cent. on each added \$1,000 until \$12,000 is reached, when the tax is 5 1/2 per cent. Over \$12,000 the tax is 6 per cent.

Corporations will be added exemptions on sums paid for salaries and wages if such corporations return to the assessor the amounts of such salaries and the names of those receiving them.

In computing the tax and exemptions the income of husbands, wife and each child under 18 years of age is added when all live together.

United States officials are exempt so far as their salaries are concerned, as are pensions from the United States and salaries of members of the Legislature.

ERIE AND CANADIAN PACIFIC

A Purely Social Visit Last Week and Now a Journey Truly Royal.

Despatches from Winnipeg, Manitoba, last night reported the presence in that Canadian centre of J. C. Stuart, general manager of the Erie Railroad, conferring with Vice-President Whyte of Canadian Pacific. The despatches said that the prospect of enactment of the agreement for reciprocity between this country and Canada brought the two men together, though the wires brought no expression from either.

The Canadian Pacific owns the Minneapolis, St. Paul and Sault Ste. Marie, which in turn owns the Wisconsin Central and brings the great Canadian railroad system to Chicago. The Erie runs from Chicago to New York and is a differential road, that is, one permitted by the trunk line agreement to carry for less than the two standard lines Pennsylvania and New York Central.

Last week President Underwood of the Erie met Sir Thomas Shaughnessy, president of the Canadian Pacific, at the latter's offices in Montreal. Bankers for the Erie quickly explained that there could have been no discussion of anything but the sale of the Erie to the Canadian, else they would have known of it. There might be in prospect a traffic alliance. As to that they knew nothing.

People in the traffic department of the Erie explained that at one time Fred Underwood and Tom Shaughnessy worked together on the Soo, and that they do not now exchange such salutations as "Mr. President" and "Sir Thomas." Wherefore it happened that when Mr. Underwood went fishing in Canada Fred and Tom had to talk over old times. Their meeting was "purely social."

At Mr. Underwood's home in this city last night it was said that Mr. Underwood was on route to Watwaugus, concerning which place the *Advertiser* says: "A city of Milwaukee county, Wis., on the Chicago, Milwaukee and St. Paul Railway, five miles west of Milwaukee." It has a coal and dynamite, chemical works, &c. Population in 1900, 2,842."

Any one wanting to know about the object of Mr. Underwood's trip to Watwaugus was promptly informed that it was "truly royal."

SUICIDE OF MINISTERS' WIFE

Mrs. Patterson's Mind Believed to Have Been Affected by the Heat.

MOORE VERNON, June 29. Mrs. Mildred A. Patterson, wife of the Rev. James A. Patterson of this city, killed herself early this morning in a servant's room on the third floor of her home, 342 Tecumseh avenue, by inhaling gas. Her body was found by her fourteen-year-old son. She lay on the bed with one end of a gas tube to her mouth and held there by a cord tied around her face.

The Rev. Mr. Patterson, who was at one time pastor of a Presbyterian church in Columbus, Ohio, and is now a worker in the Anti-Saloon League, was in Albany at the time his wife committed suicide. Mrs. Patterson seemed to be in a cheerful mood last night. She retired at 9 o'clock with her infant child and two other young children, a boy and a girl. She was 30 years old and had been prominently identified with charitable and religious work. It is believed that the heat affected her mind.

SAVED IN LITTLE HELL GATE

Motor Boat Picked Up Two Small Leaders in Nick of Time.

John Kohl and his sister, Miss Grace, were heading north through Little Hell Gate opposite East 114th street early last night in Kohl's motor boat the Florence K., which is listed among the fast craft on the river, when they heard cries for help coming from midstream. The heads were bobbing in the cross tide and Kohl and his sister made for them.

Kohl and Miss Kohl managed to pull two naked youngsters aboard the motor boat just as the boys were about to give up the struggle. One said he is Antonio Grieco, 12 years old, of 317 East 114th street and the other one Sabath Olivette, a French boy, of 329 East 114th street. The boys took the two boys to Harbor B station at the foot of East 120th street, where the boys, clothed only with the gathering fog, remained until Lieut. Bob McNair had dug up two rubber coats for them, pending the interesting hour when their mothers could bring them clothing.

Automatic Sprinklers Rule Upheld.

The Appellate Term of the Supreme Court decided yesterday that the statute giving the Fire Commissioner power to order automatic sprinklers installed in manufacturing plants and to sue for a penalty of \$50 for each violation of this order is constitutional. The court upheld a Municipal Court judgment of \$50 each against the piano firms of Winter & Co. and Christman & Co. These were the first cases and there are 200 others.

Army Lieutenant Killed in Aeroplane.

Source: Cable Despatch to THE SUN. REIMS, June 29. Lieut. Froeben, while attempting to make a flight here today, was killed. He was not killed instantly, but he was fractured and without regaining consciousness he died several hours later. The lieutenant was a participant in the aerial maneuvers.

MORE TIME FOR INTERBORO

WILL GET UNTIL JULY 6 TO CONSIDER ITS REFUSAL.

Board of Estimate Receives a Modified Report From the Conference Committee and Will Meet Again Today. Shouts Likely to Refuse Again.

The conference committee of the Board of Estimate and of the Public Service Commission decided yesterday to give the Interborough time to think over its rejection of the city's subway plans. At the same time the committee agreed that unless the Interborough accepts this opportunity the new line will go to the B. R. T.

One of the reasons why the Interborough company rejected the city's scheme for new lines was that it was not treated as well in the matter of financing as was the Brooklyn Rapid Transit Company.

The committee at a meeting of the Board of Estimate last evening presented a report designed to meet the objections made by the Interborough company.

The Interborough will have until July 6 to decide whether or not it will withdraw its refusal to cooperate with the city.

From what could be learned last night there is not much prospect that the Interborough company will avail itself of the opportunity. It was said by representatives of the Interborough company that while they were perfectly satisfied with the financial part of the report they would never recede from their opposition to letting the Brooklyn company have a Broadway subway.

When the Board of Estimate met yesterday morning Mr. McAneny said that he was not prepared to submit his report and asked that the meeting be adjourned until 1:30 o'clock in the afternoon. This was agreed to, but before this resolution was adopted ex-Mayor Low, the chairman of the joint committee on subways of the chamber of commerce and the Merchants Association, urged further consideration.

After Mr. Low had finished Mayor Gaffney said that he was not ready to act on the report of the committee and a motion was made by President Mitchell of the Board of Aldermen that the meeting be adjourned until this morning. Mr. McAneny asked for an adjournment until the afternoon.

The time fixed was 4:30, but it was more than an hour later when Mr. McAneny, who had been for the greater part of the intervening time in consultation with Chairman Wilcox of the Public Service Commission, was ready to make his report. Mr. Wilcox wanted to give the Interborough time and Mr. McAneny didn't. The Mayor waited until about 5 o'clock, and when there was no sign of Mr. McAneny, who was still over in the offices of the commission, he went home.

In the absence of the Mayor the delayed meeting was presided over by Mr. Mitchell. It was a perfunctory affair. The report of the conference was read by Mr. McAneny and it was then decided to defer action on the report until 10:30 o'clock this morning.

The report recommended the acceptance of the B. R. T.'s offer and that the city agree to the modifications in the report of the committee which had been suggested by the company.

There was this addition to the report: The conference also recommended that the Interborough company be allowed to take the terms proposed to it by the company be informed that the board and the Public Service Commission desire as a matter of record to include in the terms originally proposed these modifications that would apply equally to either operator to wit:

1. The adjustment of the basis for the payment of the cost of equipment under recapture proposed by the Brooklyn company.

2. The extension of the allowance of 2 per cent. for brokerage charges to the cost of equipment.

3. The treatment as cumulative of any deficiencies met by the company in carrying out the sinking fund plan and the liquidation of such deficiencies before payment of the carrying charges upon the bonds of the city proceeds and.

4. The payment of all incidental fee damages for rights of way in acquiring the right of way and the cost of the proposed exchange of the leases upon the East and West Side legs of the existing subway, shall be promptly secured.

5. That if the company agrees, as compensation for the additional franchises it seeks for its elevated lines, to pay to the city one-half of the increase in the net profits of the two years ending June 30, 1911, and if it accepts the proposed proposition of the city as to the Rapid Transit line, that the city agree also to treat such decreases of net profit below the amount of such annual average as cumulative and as a charge in the company's favor to be met from future receipts before the division with the city proceeds.

6. That if forty-nine years is fixed as the term of the new subway leases and the company's leases upon the existing lines are levelled so that they will expire contemporaneously with the new leases upon the old lines such parts of the renewal periods of each contract as would remain under the leveling process. This upon condition that the legislation necessary to permit such a readjustment of the leases, as well as the proposed exchange of the leases upon the East and West Side legs of the existing subway, shall be promptly secured.

DENOUCE CARNegie PLAN.

Catholic Educational Association Calls Foundation a Menace.

CHICAGO, June 29. Resolutions adopted at the general session of the Catholic Educational Association to-day follow the line of the attack made by Father Broghnan on the Carnegie Foundation and stigmatize the foundation as "a menace to the intellectual and moral well-being of the American people," as "irresponsible" and as "aiming at the de-Christianization of the education of this country."

The resolutions also advocate the establishment of the high school system and recommend the Catholic university extend its movement to Catholic people.

TO THE BERNARDINES AND WILLIAMS.

New through train N. Y. N. H. & H. R. R. New York Central Terminal daily, except Sunday, leaving New York at 1:30 P. M. For Pittsburg 7:15 P. M. For St. Louis 8:45 P. M. For Chicago 10:15 P. M. For St. Paul 11:45 P. M. For Minneapolis 12:15 P. M. For St. Paul 1:15 P. M. For Minneapolis 2:15 P. M. For St. Paul 3:15 P. M. For Minneapolis 4:15 P. M. For St. Paul 5:15 P. M. For Minneapolis 6:15 P. M. For St. Paul 7:15 P. M. For Minneapolis 8:15 P. M. For St. Paul 9:15 P. M. For Minneapolis 10:15 P. M. For St. Paul 11:15 P. M. For Minneapolis 12:15 P. M. For St. Paul 1:15 P. M. For Minneapolis 2:15 P. M. For St. Paul 3:15 P. M. For Minneapolis 4:15 P. M. For St. Paul 5:15 P. M. For Minneapolis 6:15 P. M. For St. Paul 7:15 P. M. For Minneapolis 8:15 P. M. For St. Paul 9:15 P. M. For Minneapolis 10:15 P. M. For St. Paul 11:15 P. M. For Minneapolis 12:15 P. M. For St. Paul 1:15 P. M. For Minneapolis 2:15 P. M. For St. Paul 3:15 P. M. For Minneapolis 4:15 P. M. For St. Paul 5:15 P. M. 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